

ENCROACHMENT PERMIT PROCEDURE

(EXCEPT SIGNS AND SWIMMING POOLS)

1. City of Tempe Ordinance (Sec. 29-21) requires that the public right of way be kept clear of all obstructions. Encroachment permits are granted only for the most extraordinary circumstances. The Ordinance uses as examples construction purposes and house moving activities. Encroachment permits for walls and fences into the right of way do not qualify for consideration.
2. The type, size and permissibility of encroachments into City of Tempe right-of-way is determined by the City Engineer. Issues such as impact to infrastructure, liability and safety to public will be considered.
3. The applicant must provide the following information to the Land Services Section of the Tempe Engineering Division prior to the encroachment permit being processed:
 - A. A site plan and legal description of the encroachment area. The site plan must clearly show the dimensions of the right-of-way effected.
 - B. Permission from the various utilities to construct the improvements in the right-of-way must be obtained in writing and submitted with the site plan. The following utilities must be contacted: Qwest, Arizona Public Service, Salt River Project, Southwest Gas, and Cox Cable (or the appropriate cable utility servicing the address).
 - C. The public utilities must be notified and mark their utilities in the location of the encroachment. Call (602) 263-1100 (Blue Stake Center) for this. After the utilities have been marked call (480) 350-8417 and have the Land Services Department inspect the utility markings for conflicts.
 - D. The names of the owners (either corporate or private) of the adjacent parcel of land.
4. Once the above information is received by the Land Services Section, the encroachment permit is drawn up. The applicants must then sign and notarize the permit and pay applicable fees (\$150.00 one-time fee for non-commercial use, \$600.00 each year for commercial use).
5. The City Engineer then signs the encroachment permit. A copy is provided to the applicant and the original is recorded at the Maricopa County Recorder's Office.

The items required in No. 2 above are sometimes performed by the construction contractor.

Any objections by the various utilities, including the City of Tempe Water and Sewer Divisions, may cause the rejection of any encroachment permit request.

Questions can be directed to Larry Shobe at (480) 350-8417.